

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ALLEN PECKHAM,

Plaintiff,

v.

JOSEPH LEHMAN,

Defendant.


Case No. C04-5720FDB

ORDER ADOPTING  
REPORT AND  
RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge J. Kelley Arnold, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) This action is time barred.
- (3) The action is **DISMISSED WITH PREJUDICE.**
- (4) The Clerk is directed to send copies of this Order to counsel for plaintiff, counsel defendants, and to the Hon. J. Kelley Arnold.

DATED this 22<sup>nd</sup> day of June 2005.

  
FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE